

IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE: **STEPHANIE LORAIN GARCIA MONTANEZ**  
SSN xxx-xx-0704

CASE NO: **20-01036-ESL**

Debtor(s)

**Chapter 13**

- AMENDED -

**TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$4,000.00**      Paid Pre-Petition: **\$132.00**      Outstanding (Through the Plan): **\$3,868.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

**Debtor's/s' Commitment Period:** ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)  
☐ The Trustee cannot determine debtor's/s' commitment period at this time.      Projected Disposable Income: **\$0.00**

**Liquidation Value: \$0.00      Estimated Priority Debt: \$2,052.63**

**If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00**

With respect to the (amended) Plan date: **May 27, 2020 (Dkt 16)**      **Plan Base: \$18,180.00**

**The Trustee:** ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation      Gen. Uns. Approx. Dist.: 4 %

**The Trustee objects to confirmation for the following reasons:**

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Fails to disclose income.

- Debtor has failed to include the income information of her consensual partner in the Mean Test. If debtor is including her partner in the household size, she must include his salaries for the calculation of the household income and expenses.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.  
**CHAPTER 13 TRUSTEE**  
PO Box 9023884, San Juan PR 00902-3884  
Tel. (787)977-3535 Fax (787)977-3550

Date: July 23, 2020

/s/ Mayra Arguelles, Esq.

